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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,772	07/13/2000	Scott Allen Carroll	auS9-2000-0323-US1	3973

7590 06/01/2004  
Edmond A DeFrank  
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Northridge, CA 91326

EXAMINER

HENEGHAN, MATTHEW E

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 06/01/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

P22

# Office Action Summary

Application No.

09/615,772

Applicant(s)

CARROLL ET AL.

Examiner

Matthew Heneghan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-12,15,16 and 19-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-12,15,16 and 19-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Interview Request PTOL-413A</u>        |

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 6-12, 15, 16, and 19-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over the public use in the United States of "@Guard", by WRQ, Inc., released in 1998, as described by "AtGuard Getting Started Guide," 1999 and "FAQs About Privacy, Cookies, and Referer Fields," 1999 in view of U.S. Patent No. 5,434,562 to Reardon further in view of U.S. Patent No. 6,122,664 to Boukobza et al.

Regarding claims 1, 6-9, 11, 12, 16, 19, and 21-32, @Guard monitors and controls access of cookies by network web servers on a web browser, and maintains a count of prohibited accesses on a graphical user interface (see Guide, pp. 4-5).

@Guard does not provide an audible alert in the event of a prohibited access attempt.

The method for restricting computer access disclosed by Reardon provides for a sound alarm in the event of an intrusion, as it may be desirable to alert the user (see column 5, lines 15-22).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify @Guard by adding a sound alarm, as disclosed by Reardon, as it may be desirable to alert the user.

Though @Guard and Reardon both provide for means to visually notify the user of the status, neither provides for the using of a "safe" color when the system is normal and a "warning" color in the event of a prohibited request.

Boukobza discloses a parameter for modules wherein a green icon is used to denote OK status, as well as an orange "warning" icon, and a red "down" icon (see column 5, lines 47-62. Boukobza further suggests that this is done to address the slow reaction time when an event occurs (see column 2, lines 4-10).

Therefore it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of @Guard and Reardon by using a green icon is used to denote OK status, as well as an orange "warning" icon, as disclosed by Boukobza, in order to address the slow reaction time when an event occurs.

As per claim 2, @Guard may be configured to detect cookie access on a per-server basis (see FAQ, pp. 1-2).

As per claim 3, cookie information is inherently confidential, as it associates a client with a server's application.

As per claims 10 and 20, @Guard can return the prohibited string in the Cookie Box (see FAQ, p.2, "Reply").

As per claim 15, the implementation of @Guard with a single rule would yield a specific server access notification.

### ***Response to Arguments***

6. Applicant's arguments, see Paper No. 5, filed 31 March 2004, with respect to the rejections of all the claims under 35 U.S.C. 102 and 35 U.S.C. 103 have been fully considered and are persuasive in view of the amendments to the claims. Therefore, the rejection has been withdrawn. However, upon further consideration, new ground(s) of rejection are made in view of the public use in the United States of "@Guard", by WRQ, Inc., released in 1998, as described by "AtGuard Getting Started Guide," 1999 and "FAQs About Privacy, Cookies, and Referer Fields," 1999 in view of U.S. Patent No. 5,434,562 to Reardon further in view of U.S. Patent No. 6,122,664 to Boukobza et al.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Heneghan, whose telephone number is (703) 305-7727. The examiner can normally be reached on Monday-Thursday from 8:00 AM - 4:00 PM Eastern Time. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Or faxed to:**

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park 2, 2121 Crystal Drive, Arlington, VA 22202, Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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May 19, 2004

  
GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100